

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter, on the Commission's own motion,)	
to require WISCONSIN ELECTRIC POWER)	
COMPANY to show cause why it should not be)	Case No. U-17829
prohibited from suspending operation of or retiring)	
the Presque Isle Power Plant.)	
_____)	

At the December 9, 2016 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER CLOSING DOCKET

At a special Commission meeting held on February 10, 2015, the Commission issued an order requiring Wisconsin Electric Power Company (WEPCo) to show cause why it should not be prohibited from suspending operations at or retiring its Presque Isle Power Plant (PIPP) located in Marquette, Michigan. In so doing, the Commission set a schedule for an expedited contested case proceeding that was to begin with a prehearing conference on February 25, 2015, before Administrative Law Judge Suzanne D. Sonneborn.

On February 17, 2015, WEPCo and its two largest customers, Tilden Mining Company L.C. and Empire Iron Mining Partnership¹ (the Mines), signed an agreement that rendered moot the need for any further proceedings in this docket at that time. The agreement, which was made

¹ Empire Iron Mining Partnership ceased commercial operations on August 4, 2016.

public on February 18, 2015, required the Mines to remain as full service customers of WEPCo until WEPCo divested its Michigan assets. In return, WEPCo agreed to rescind its plans to retire the PIPP, and also agreed to forego collection of System Support Resource retirement payments effective February 1, 2015. Accordingly, in an order issued on February 23, 2015, the Commission cancelled the February 25, 2015 prehearing conference. However, the Commission's February 23, 2015 order did not formally close the docket in Case No. U-17829.

On June 14, 2016, WEPCo and Wisconsin Public Service Corporation (WPS Corp) filed a joint application in Case No. U-18061 for approval, pursuant to MCL 460.6q, of the transfer of WEPCo's Michigan electric distribution assets and WPS Corp's Michigan electric and natural gas distribution assets to Upper Michigan Energy Resources Corporation (UMERC), a to-be-formed Michigan jurisdictional regulated utility providing service to electric and natural gas customers only in Michigan. In a separate order issued today in Case No. U-18061, the Commission approved a settlement agreement that approves the transfer of WEPCo's Michigan electric distribution assets and WPS Corp's Michigan electric and natural gas distribution assets to UMER.

THEREFORE, IT IS ORDERED that the docket in Case No. U-17829 is closed.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of December 9, 2016.

Kavita Kale, Executive Secretary